REMARKS

The present response cancels claims 3, 4, 11, and 17 without prejudice or disclaimer as to the subject matter recited therein. In addition, the specification and claims 1, 5, 10, 12-14, 16, and 18-20 have been amended. Claims 1, 2, 5-10, 12-16, and 18-20 remain pending in the captioned case. Further examination and reconsideration of the presently claimed application are respectfully requested.

Allowable Subject Matter

Claims 4, 11-16, 17, and 18 were deemed allowable. Applicant agrees with the Examiner in that the cited references do not teach or suggest two distinct read and write registers corresponding to storage locations, nor does the cited art teach or suggest combinatorial logic associated with the storage locations to determine which locations have been written and not read (Office Action -- pp. 12-13). As will be noted below, the allowable subject matter from claim 4 has been introduced into amended claim 1. Moreover, the allowable subject matter from claims 11 and 17 have been inserted into amended claims 10 and 16, respectively. Therefore, present independent claims 1, 10, and 16 now include subject matter deemed allowable.

Objection to the Drawings

Objections were lodged against the drawings for various reasons. For example, Figs. 1a and 1b were objected to as not containing the term "Prior Art." In citing MPEP § 608.02(g), the Office Action alleges that Figs. 1a and 1b only show that which is old. Applicant disagrees. While Applicant admits that a storage location within a FIFO can contain both data bits and tag bits, Fig. 1a indicates a specific number of tag bits, for example, and Fig. 1b indicates the values within certain tag bit locations can be compared within an exclusive OR gate 14 (Drawings -- Figs 1a and 1b). Nowhere is there any suggestion in the "Background" section of the specification or otherwise that the illustrated number of tag bits and the combination of tag bits using a logic gate is/are deemed prior art. The only reference to "typical" is in the "Brief Description" portion of the specification when referencing a storage device, such as a FIFO buffer. Applicant does not deny that a FIFO is a typical storage device, but otherwise respectfully traverse any suggestion that Figs. 1a and 1b should be designated as "Prior Art." If, however, the Examiner can find a drawing in a prior art reference identical to that of Figs. 1a and 1b, then Applicant

will designate the drawings as "Prior Art." With regard to Fig. 2, formal drawings are submitted herewith to obviate this objection.

Claim Objections

Claims 10 and 18 were objected to for various informalities. Applicant wishes to thank the Examiner for the suggestions offered in the Office Action. Claims 10 and 18 have been amended in conformity with those suggestions. Accordingly, these objections are believed obviated.

Section 112 Rejection

Claims 1-15 and 17-20 were rejected under 35 U.S.C. § 112, second paragraph. Regarding claim 1, amendment has been made to the first element to make clear that each of the *N* storage locations have *T* tag bits. Further amendment has been made to the second element to make clear that the read register is a *N*-bit read register separate and apart from the *N*-bit write register. In addition, amendment has been made to include the contents from claim 4 into the third element, but the objectionable "comparing the contents . . ." terminology has been deleted.

The Office Action further objected to the term "status" in the third element of claim 1, and the last element of claim 10. When formulating this objection, it appears the Office Action has taken a position that the term "status" is open to multiple interpretations. Applicant agrees only insofar as the specification provides for such interpretations, and that the use of the term "status" in the claims is not repugnant to the present specification disclosure. The test for determining indefiniteness begins by determining whether this term meets the threshold requirement of clarity and precision, not whether more suitable language or modes of expression are available. MPEP 2173.02. Second, when determining whether the threshold is met, the term "status" must be read within the context of the present specification. Third, when placing this term in context, the Examiner must do so from a viewpoint of one of ordinary skill in the art. *Colomon v. Kimberley-Clark Corp.*, 216 F.3d. 1372 (Fed. Cir. 2000). Lastly, the Examiner must not confuse indefiniteness with breadth. MPEP 2173.04. Even though the term "status" can have multiple meanings within the context of the specification as would be apparent to one skilled in art upon reading the specification, "status" cannot be rejected as indefinite simply because it encompasses a broad meaning. *In re Miller*, 441 F.2d. 689 (CCPA 1971).

Applicant asserts that the term "status" is clearly defined and apparent from reading the current specification. With respect to the "status" of storage locations set forth in claim 1, it is clear from the present specification that data within such storage locations can be destined for a particular type of transaction or to indicate the source of that data depending on how the storage locations are designated (i.e., their "status") (Specification -- pg. 2, lines 5-12, for example). Regarding the "status" of tag bits, individual bits can be given a value, such as a binary voltage value, for example. The current specification makes clear that depending on the value given to various tag bits, the corresponding storage locations belonging to a valid storage location or entry can be destined for a particular operation, targeted for a destination, or arising from, for example, a particular source (Specification -- pg. 2, lines 21-27; pg. 3, lines 1-10; pg. 4, lines 9-14, for example).

Applicant believes the term "status" is well-known to one skilled in the art when reviewing this term in light of the present specification. Further details of what one skilled in the art would believe the term "status" would imply is set forth, for example, in the New IEEE Standard Dictionary for Electrical and Electronic Terms (IEEE Std. 100-1992) 5th Edition, page 1289, which references both "status code" and "status flag." Accordingly, Applicants respectfully traverse this objection as to the term "status" set forth in independent claims 1 and 10.

With regard to claim 11, Applicant has made amendments to make clear that there are separate read and write registers. With regard to claim 14, the term "suppress" has been amended to "ignore." The term "ignore" is set forth throughout the present specification; therefore, this amendment does not present new matter. With regard to claim 17-20, the term "method" has been substituted for the objectionable term "indicator method." Therefore, these objections are believed obviated. If the Examiner has any other concerns regarding the form of currently pending claims, a telephone conference is respectfully requested in order that further amendments can be made, if needed. The undersigned appreciates the Examiner's helpful comments.

Section 103 Rejection

Claims 1-3, 5-10, 16, 19, and 20 were rejected over U.S. Patent No. 6,433,787 to Murphy (hereinafter "Murphy") in view of U.S. Patent No. 6,574,689 to Zaidi et al. (hereinafter "Zaidi") and U.S. Patent No. 5,884,099 to Klingelhofer (hereinafter "Klingelhofer"). In response thereto, Applicant respectfully traverses this rejection as to the currently pending claims. While the Office Action rejected

various claims, the Office Action also allowed claims 4, 11-15, 17, and 18. The subject matter from claim 4 has been placed into claim 1, and the subject matter from claim 11 has been placed into claim 10. Furthermore, the subject matter from claim 17 has been placed into claim 16. Based on the Office Action noting the presently allowable subject matter, Applicant believes this rejection has been rendered moot in its entirety.

CONCLUSION

The present amendment and response is believed to be a complete response to the issues raised in the Office Action mailed August 13, 2003. In view of remarks traversing the objections and in light of amendments made herein, Applicants assert that pending claims 1, 2, 5-10, 12-16, and 18-20 are in condition for allowance. If the Examiner has any questions, comments or suggestions, the undersigned attorney earnestly requests a telephone conference.

No fees are required for filing this amendment; however, the Commissioner is authorized to charge any additional fees which may be required, or credit any overpayment, to Conley Rose, P.C. Deposit Account No. 03-2769/5201-23000.

Respectfully submitted,

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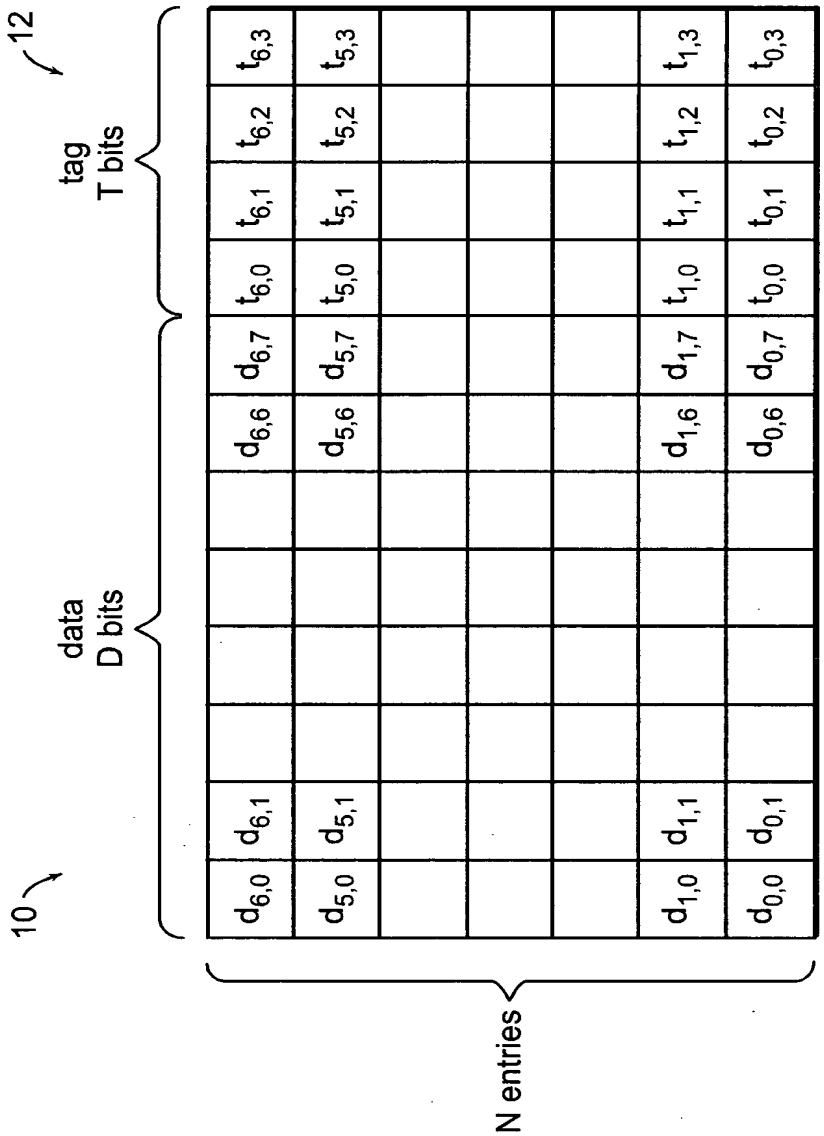

FIG. 1a

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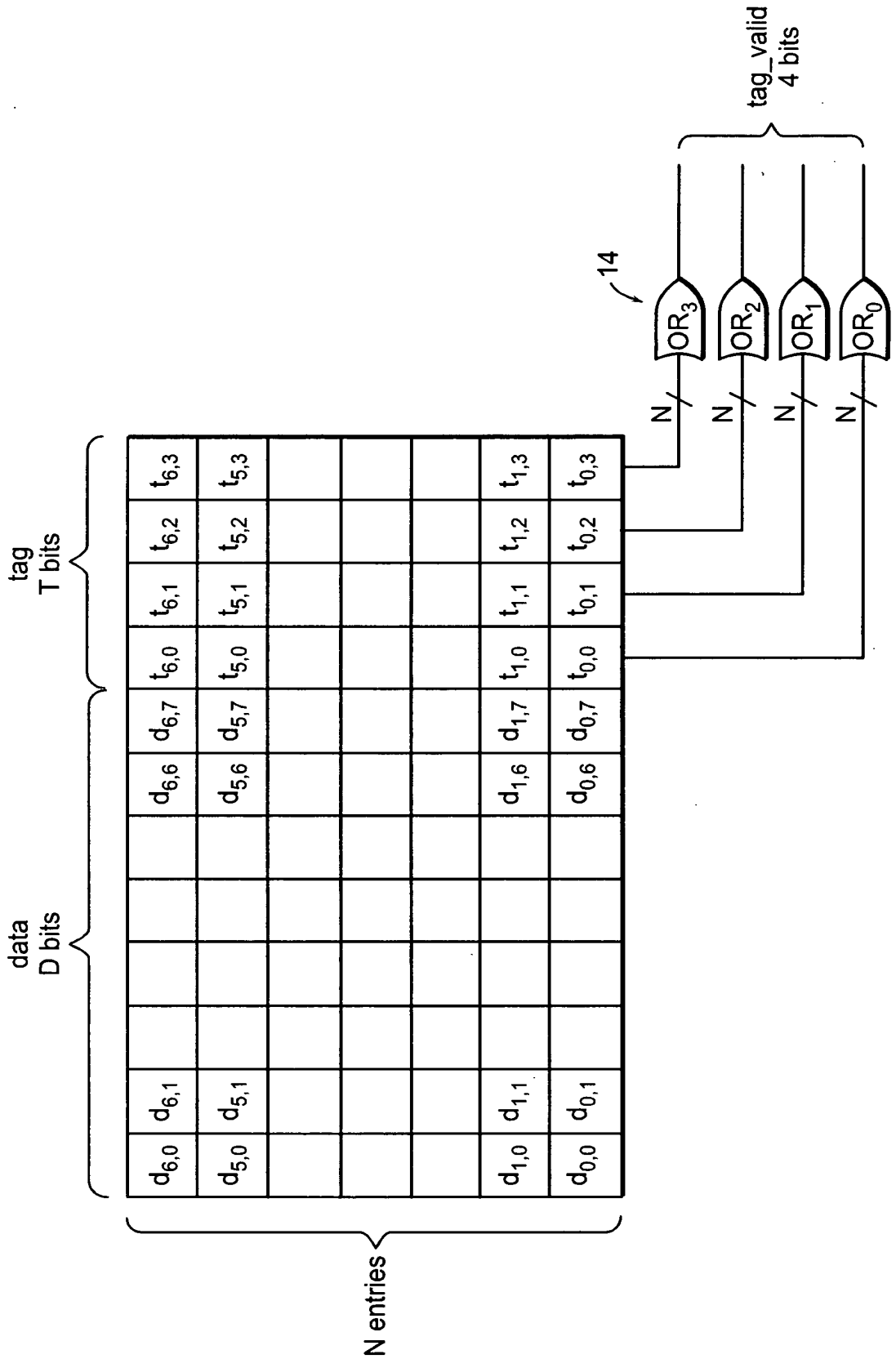

FIG. 1b

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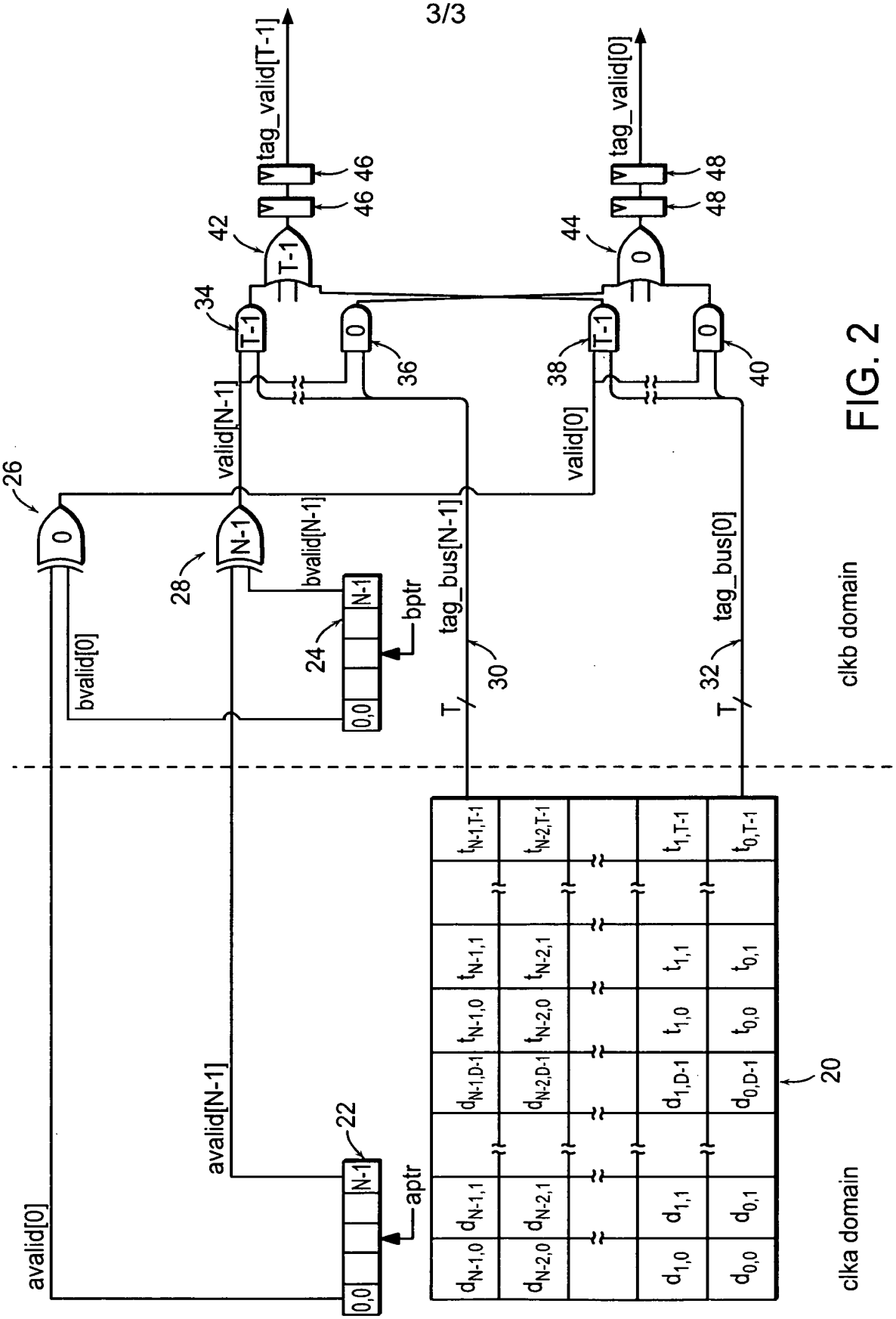

FIG. 2